

Appl. No. 09/998,557
Amtd. Dated March 22, 2004
Reply to Final Office Action of December 22, 2003 and
Advisory Action of March 10, 2004

PATENT

REMARKS/ARGUMENTS

Claims 1, 2, 4, 6-15 and 17-24 were pending in this application. Claims 1, 13, and 24 have been amended. No claims have been added or canceled. Hence, claims 1, 2, 4, 6-15 and 17-24 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1, 4, 6, 13, 15, 17 and 24, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,745,553 to Mirville *et al.* (hereinafter “Mirville”), in view of cited portions of U.S. Patent No. 5,187,735 to Herrero Garcia, *et al.* (hereinafter “Garcia”).

Claims 2, 7-9, 11-12, 14, 18-20 and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mirville, in view of Garcia, and further in view of the cited portions of U.S. Patent No. 5,937, 047 to Stabler, *et al.* (hereinafter “Stabler”).

Claims 10 and 21, stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mirville, in view of Garcia, and further in view of the cited portions of U.S. Patent No. 6,160,883 to Jackson, *et al.* (hereinafter “Jackson”).

Claim Rejections Under 35 U.S.C. § 103(a)

In response to the Applicant’s traversal of the previous rejection of claims 1, 13, and 24, the advisory action states that the necessary motivation to combine the teachings of Mirville with Garcia may be found in Garcia. The Applicant has been unable to locate this teaching in Garcia. Further, the advisory action does not address the motivation to combine those teachings with Stabler or Jackson. Since a specific teaching is required in each instance, the Applicant believes all claims are allowable, at least for this reason.

Nevertheless, the Applicant has amended claims 1, 13, and 24 to include charging a user’s pre-established user account for a long distance call. Since Garcia teaches charging a

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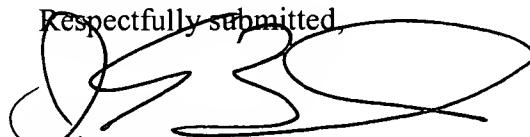
credit card for the call and Mirville, as admitted by the Office Action, does not even teach charging the user, this limitation is not taught by the cited references. Further, since Garcia teaches charging a credit card and not the user's pre-established user account, this destroys the necessary motivation to combine the references, since it teaches away from a system that does not require the user to carry or memorize a calling card number. Thus, claims 1, 13 and 24 are believed to be allowable, at least for this reason.

The remaining claims depend from claims 1, 13 and 24, and are believed to be allowable, at least for the reasons stated above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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